

FARHAN R. NAQVI  
Nevada Bar No. 8589  
SARAH M. BANDA  
Nevada Bar No. 11909  
NAQVI INJURY LAW  
9500 W Flamingo Road, Suite 104  
Las Vegas, Nevada 89147  
Telephone: (702) 553-1000  
Facsimile: (702) 553-1002  
naqvi@naqvilaw.com  
sarah@naqvilaw.com  
*Attorneys for Plaintiff*

UNITED STATES DISTRICT COURT

CLARK COUNTY, NEVADA

BETTY BELTRAN, individually,  
  
Plaintiff,

vs.

COSTCO WHOLESALE CORPORATION  
d/b/a COSTCO WHOLESALE; DOES 1  
through 100 and ROE CORPORATIONS 1  
through 100, inclusive,

Defendants.

Case No.: 2:23-cv-01461-JAD-EJY

**STIPULATED DISCOVERY PLAN  
AND SCHEDULING ORDER  
PURSUANT TO F.R.C.P. 26(f) AND LR  
26-1(b)**

The parties submit the following Stipulated Discovery Plan and Scheduling Order pursuant to LR 26-1(b) and Fed. R. Civ. P. 26(f). Deadlines that fall on a Saturday, Sunday, or legal holiday have been scheduled for the next judicial day.

- F.R.C.P. 26(f) Meeting:** Pursuant to F.R.C.P. 26(f), counsel for the parties conferred to develop a proposed discovery plan on October 16, 2023. The conference was held by Sarah M. Banda, Esq. of the law firm NAQVI INJURY LAW on behalf of the Plaintiff ("Plaintiff") and Maegun Mooso, Esq. of the law firm RANALLI ZANIEL FOWLER & MORAN, LLC on behalf of Defendant COSTCO WHOLESALE CORPORATION d/b/a COSTCO WHOLESALE ("Defendant").



- 1     **2. Pre-Discovery Disclosures:** Pursuant to F.R.C.P. 26(a)(1), Defendant will make its initial  
2     disclosures **on or before October 30, 2023**. Plaintiff will make her initial disclosures **on or**  
3     **before October 30, 2023**.
- 4     **3. Areas of Discovery:** The parties agree that the areas of discovery should include, but not be  
5     limited to, all claims and defenses allowed pursuant to the Federal Rules of Civil Procedures.
- 6     **4. Discovery Plan:** The parties propose the following discovery plan:
- 7     **a. Discovery Cut-Off Date [LR 26-1(b)(1)]:** Defendant answered on September 15,  
8     2023. Defendant filed its Notice for Removal on September 19, 2023. The proposed  
9     last day of discovery shall be **June 14, 2024**, which is calculated as 270 days from the  
10    filing of Defendant's Notice for Removal. The parties request a longer period to  
11    conduct discovery in order to accommodate the extent of discovery that will be  
12    required. For instance, Plaintiff is continuing to receive medical treatment, including  
13    right knee arthroscopic surgery. The defense anticipates obtaining Plaintiff's medical  
14    records, deposing treating providers, and retaining experts, who will in turn likely be  
15    deposed by Plaintiff. Plaintiff also anticipates retaining experts concerning her  
16    medical condition. In addition, scheduling the depositions of the parties, experts and  
17    medical providers may prove difficult given the number of providers which have  
18    rendered treatment to Plaintiff. Given the extent of discovery needed, additional time  
19    to conduct discovery is warranted to allow the parties the opportunity to adequately  
20    evaluate and explore the claims and defenses in this matter. Consequently, the parties  
21    respectfully request additional time to conduct discovery in this matter as reflected  
22    herein.  
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- 1       **b. Amendment of Pleadings and Adding of Parties [LR 26-1(b)(2)]:** The parties shall  
2       have until **March 15, 2024**, to file any motion to amend the pleadings or to add  
3       parties. This is 90 days before the proposed discovery cutoff date.
- 4       **c. F.R.C.P. 26(a)(2) Disclosures (Experts) [LR 26-1(b)(3)]:** Disclosure of experts  
5       shall proceed according to F.R.C.P. 26(a)(2) except that, pursuant to LR 26-1(b)(3):  
6       the initial disclosure of experts and expert reports shall occur on **April 15, 2024**,  
7       which is 60 days before the proposed discovery cutoff date; and the disclosure of  
8       rebuttal experts shall occur on **May 15, 2023**, which is 30 days after the initial  
9       disclosure of experts.
- 10       **d. Dispositive Motions [LR 26-1(b)(4)]:** The parties shall have until **July 15, 2024** to  
11       file dispositive motions, which is 30 days after the proposed discovery cutoff date.
- 12       **e. Pre-Trial Order [LR 26-1(b)(5)]:** The joint pre-trial order shall be filed by **August**  
13       **14, 2024**, which is 30 days after the date set for filing dispositive motions. If a  
14       dispositive motion is timely filed, this deadline is suspended until 30 days after  
15       decision of the dispositive motion or further order of the Court.
- 16       **f. Trial Readiness:** The case should be ready for trial by **January or February 2025**  
17       and is expected to take approximately **7-10 days**.
- 18       **g. Rule 26(a)(3) Disclosures [LR 26-1(b)(6)]:** Unless otherwise directed by the Court,  
19       pretrial disclosures as set out in F.R.C.P. 26(a)(3) and any objections to them shall be  
20       included in the joint pretrial order.
- 21       **h. Court Conferences:** If the Court has questions regarding the dates proposed by the  
22       parties, the parties request a conference with the Court before entry of the Scheduling  
23       order.
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Order. If the Court does not have questions, the parties do not request a conference with the Court.

i. **Extension or Modifications of the Discovery Plan and Scheduling Order:** LR 26-4 governs modifications or extensions of the Discovery Plan and Scheduling Order. Any stipulation or motion to extend a deadline set forth in the discovery plan and scheduling order must be made no later than 21 days before the subject deadline unless good cause exists to request an extension thereafter. Any stipulation or motion to extend the discovery period must be made no later than **May 24, 2024**, 21 days before the discovery cut-off date unless good cause exists to request an extension thereafter.

j. **Format of Discovery:** Pursuant to the electronic discovery amendments to the Federal Rules of Civil Procedure effective December 1, 2006, the parties addressed the e-discovery issues pertaining to the format of discovery at the FRCP 26(f) conference. The parties do not anticipate discovery of native files or metadata at this time, but each party reserves the right to make a showing for the need of such electronic data as discovery progresses.

5. **Alternative Dispute Resolution and Settlement [LR 26-1(b)(7)]:** The parties certify that they met and conferred about the possibility of using alternative dispute resolution processes, including mediation, arbitration, and if applicable, early neutral evaluation.

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- 1     **6. Alternative Forms of Case Disposition [LR 26-1 (b)(8)]:** The parties certify that they  
2     considered consent to trial by a Magistrate Judge under 28 U.S.C. § 636(c) and Fed. R. Civ.  
3     P. 73 and the use of the Short Trial Program (General Order 2013-01). The parties do not  
4     consent to trial by Magistrate Judge or use of the Short Trial Program at this time.
- 5     **7. Electronic Evidence [LR 26-1 (b)(9)]:** The parties certify that they discussed whether they  
6     intend to present evidence in electronic format to jurors for the purposes of jury  
7     deliberations. The parties may present evidence in electronic format to jurors for the  
8     purposes of jury deliberations in compliance with the court's electronic jury evidence  
9     display system.
- 10    **8. Whether Other Orders Should be Entered by the Court Under Rules 26(C) or 16(B)**  
11    **and 16(C):** Defendants are requesting a confidentiality and protective order encompassing  
12    disclosure of surveillance video in this matter in addition to potential documentation or other  
13    records that maybe requested or disclosed that are trade secret, proprietary, or otherwise  
14    privileged and confidential. The parties shall submit a proposed order with the Court if the  
15    suggested scope and language can be agreed upon. If the scope and language cannot be  
16    agreed upon, the parties will file the appropriates Motion(s).

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**Review of Local Rule 26-1(b):** The parties certify that they have read the text of Local Rule 26-1(b), effective as amended April 17, 2020.

DATED this 20<sup>th</sup> day of October, 2023.

NAQVI INJURY LAW

/s/ Sarah M. Banda

FARHAN R. NAQVI

Nevada Bar No. 8589

SARAH M. BANDA

Nevada Bar No. 11909

9500 W. Flamingo Rd., Suite 104

Las Vegas, Nevada 89147

*Counsel for Plaintiff*

DATED this 20<sup>th</sup> day of October, 2023.

RANALLI ZANIEL FOWLER & MORAN,  
LLC

/s/ Maegun Mooso

GEORGE M. RANALLI, ESQ.

Nevada Bar No. 5748

MAEGUN MOOSO, ESQ.

Nevada Bar No. 15067

2340 W. Horizon Ridge Parkway, #100

Henderson, Nevada 89052

*Attorney for Defendant*

**IT IS SO ORDERED:**

  
UNITED STATES MAGISTRATE JUDGE

DATED: October 20, 2023